

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RODNEY H.S. KIM,

Defendant.

Case No. C07-5165FDB
(CR94-5246FDB)

ORDER DENYING MOTION AND
TRANSFERRING TO THE NINTH
CIRCUIT

Defendant Kim seeks to have the court resentence him and reduce his sentence, citing in support of his argument various cases and statutes. Defendant also moves for immediate release pending adjudication of the motion for reduction of sentence.

Defendant Kim has been before the court with similar motions numerous times in the past. The Court views this current motion as, essentially, a successive, 2255 application, which must be referred by this court to the Ninth Circuit. (Ninth Circuit Rule 22-3(a).)

NOW, THEREFORE, IT IS ORDERED: This matter is hereby TRANSFERRED to the Ninth Circuit, and Clerk is directed to ADMINISTRATIVELY CLOSE THIS CASE.

DATED this 4th day of April, 2007.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE